

REMARKS

This Amendment is responsive to the Office Action dated July 9, 2004. Claims 1-6 and 8-14 were pending in the application. In the Office Action, claims 1-6 and 8-14 were rejected. In this Amendment, claims 1, 4, 12 and 13 have been amended and claims 5 and 8 have been canceled. Claims 1-4, 6 and 9-14 thus remain for consideration.

Applicants submit that claims 1-4, 6 and 9-14 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

§103 Rejections

Claims 1-6, 8, 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants Admitted Prior Art (APA) in view of Ahamed (U.S. Patent No. 4,142,066) and further in view of Cuzzo (U.S. Patent No. 3,916,179).

Claims 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over APA in view of Ahamed, further in view of Cuzzo as applied to claim 1, and further in view of Redfern & Co. (GB 1 329 883).

Applicants respectfully submit that the independent claims (claims 1, 4, 12 and 13) are patentable over APA, Ahamed, Cuzzo and Redfern & Co.

Applicants' invention as recited in the independent claims is directed toward an apparatus for storing and/or transmitting a one-bit signal, an apparatus for formatting a one-bit digital signal and an apparatus for receiving a one-bit digital signal. Each of the claims recites "said one-bit signal is split into two bit streams, one bit stream having alternate odd data bits and one bit stream having alternate even data bits; and wherein each of said two bit streams is split a

second time to form two channel pairs.” Supporting disclosure can be found in the specification at, for example, page 5, lines 1-20.

APA, Ahamed, Cuzzo and Redfern & Co. do not disclose a one-bit signal that is split into two bit streams, one bit stream having alternate odd data bits and one bit stream having alternate even data bits; and wherein each of said two bit streams is split a second time to form two channel pairs, as instantly claimed.

Accordingly, Applicants believe that claims 1, 4, 12 and 13 are patentable over APA, Ahamed, Cuzzo and Redfern & Co. – taken either alone or in combination – on at least this basis.

Furthermore, since dependent claims inherit the limitations of their base claims, dependent claims 2, 3, 6, 9-11 and 14 are believed to be patentable over APA, Ahamed, Cuzzo and Redfern & Co. for at least the same reasons discussed in connection with the independent claims 1, 4, 12 and 13.

Applicants submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By:


Bruno Polito
Reg. No. 38,580
(212) 588-0800